

October 24, 2013

House Judiciary Committee
Hearing on Medical Malpractice Bills
Testimony in Opposition to HB 4354

Dear Representatives:

Thank you for giving me a chance to speak with you today. My name is Natalie Hooker, and I am here with my husband Bruce. Bruce teaches skilled trades. I am a full-time mother and homeschool my 3 children. I am here today to ask you to vote **NO** to the Emergency Room medical malpractice immunity Bill, HB 4354.

This Bill does nothing to put patients first or promote safe medical care. Instead the Bill would only promote more dangerous medical care for Michigan citizens and more profits for doctors' insurance companies. But we will all pay the price if some doctors are allowed a different brand of justice than the rest of us.

Survivors of medical malpractice and their families know all too well the danger physician misjudgment poses to Michigan citizens. For most everyone else, you don't know unless you've been there. Let me tell you the story of what happened to us.

We returned from Florida to Michigan to deliver my baby in March of 2008. We went to a hospital that held itself out as the Leaders and the Best. But the care I got was certainly not the best, it nearly killed me.

After I delivered the baby there was a delay in delivery of the placenta. A medical student or resident became impatient and pulled very hard on my umbilical cord. It hurt, badly. The attending physician told the trainee to never do that, that it can harm the patient.

Afterward, I told the doctors in the emergency room that something was wrong; that I still felt there was something in my womb. I asked the emergency room doctors for an ultrasound. They told me no and dismissed my concerns. They misjudged my condition and told me it was just normal bloating. I was discharged from the hospital with an appointment to follow-up in 2 weeks, the retained placenta in my uterus undiagnosed and untreated.

As the placenta tissue that remained in my uterus began to rot, I became sick from infection. My family took me back to the hospital. My family and I again told the doctors that I felt like something was still inside me. I had a very tender abdomen and was bleeding so heavily that I was pale and light headed. Our requests for a simple ultrasound were again refused. Instead, I was sent to the labor and delivery unit.

Without performing the required physical evaluations, the doctor diagnosed me with a kidney infection and started me on a course of antibiotics. I remained hospitalized for 3 days, and my true condition was never diagnosed.

The hospital lab even called the doctor and told her I had a Strep A infection, which can be kill you. The doctor ignored this important information. She did not even relay it to the

other doctors on the care team. Completely unprotected from this deadly infection, I was again sent home from the hospital.

Because the rotting tissue remained in my womb, and without the proper medications, I soon became critically ill. I went to a different doctor that immediately recognized there was something seriously wrong. She had me admitted to the hospital a third time.

I was sent to the ICU. A priest gave me my Last Rites. I underwent a surgical procedure, they finally removed the rotting tissue from my uterus. But by that time, the damage had been done. My treating physicians described my uterus as being obliterated by scar tissue. Ultimately, I had to undergo a hysterectomy and we can no longer have the large family we prayed for.

After praying about it for several months, and discussing it with my family, I hired a law firm to investigate the care I had received. They had the case reviewed by other doctors and it was determined that the physician misjudgments in my case constituted malpractice.

We filed a lawsuit that was aggressively defended by the doctors' lawyers. After over a year of litigation, the doctors finally accepted responsibility for what they had done to me and the case was settled.

Because of a confidentiality provision in the settlement, I can not tell you the amount, but I can tell you that with the existing limits on malpractice damages, it did not come close to making me or my family whole. Out of that settlement, we had to pay our legal fees and repay the costs of my healthcare to my husband's health plan run by his employer.

If HB4354 was the law when my case was brought, it would have been thrown out of court. My husband's employer would bear the burden of my treatment costs instead of the doctors that caused the harm. They would not have been held accountable, and would go about treating patients in the same sloppy way. It would not be a matter of if someone else was hurt like me, only a matter of when.

In closing, I ask you to protect Michigan's citizens, to put citizens first and vote NO on these bad laws.

Thank you.

Very Truly Yours,

Natalie Medina Hooker